

# **MARICOPA COUNTY HEALTH CODE**

## **CHAPTER IV**

### **LAND SUBDIVISIONS**

#### **SECTION 1**

##### **GENERAL**

#### **REGULATION 1. Definitions**

- a. "Approved" or "Approval" means approved in writing by the Department.
- b. "Common usage pipelines" means all those water and wastewater drain lines where the ownership and maintenance are vested as an undivided interest.
- c. "Condominium" means a subdivision established as a horizontal property regime pursuant to A.R.S. Title 33, Chapter 9, Section 1201 et Seq.
- d. "Department" means the Maricopa County Health Department or its designated representative.
- e. "Garbage" means putrescible animal and vegetable wastes from the handling, preparation, cooking and consumption of food.
- f. "Refuse" means all putrescible and nonputrescible solid waste (except body wastes), including garbage, rubbish, ashes, street cleaning, dead animals, abandoned automobiles, and solid market and industrial wastes.
- g. "Subdivision" or "Subdivided Lands" means improved land or lands divided or proposed to be divided for the purpose of sale, lease, or for cemetery purposes whether immediate or future, into four or more lots, parcels or fractional interests. This paragraph shall not apply to the division or proposed division of land located in Maricopa County into lots or parcels each of which is, or will be, thirty-six acres or more in area including to the centerline of dedicated roads or easements, if any, contiguous to the lot or parcel.

#### **REGULATION 2. Plan Approval Required**

- a. A preliminary plat of any proposed subdivision must be submitted to the Department, either directly or through the planning department having jurisdiction, for review and comments. The plat must indicate the proposed source of domestic water and the proposed method of sewage disposal. In addition, the distance to the closest public water and sewer line must be shown.
- b. No subdivision or portion thereof shall be sold, offered for sale, leased or rented by any person and no permanent building shall be erected thereon until plans, specifications and a recorded plat or a final approved plat by the Board of

- c. Supervisors of Maricopa County or the appropriate city council of such subdivision and related data have been filed with and approved by the Department and the required fees paid. The plans and specifications shall include provision for an adequate and safe water supply, and approved sewage disposal facility for every lot in the subdivision, garbage disposal facilities and other pertinent matters, including the results of soil and percolation tests as may be required by the Department. The installation of required facilities shall be in accordance with the approved plans or any approved revision thereof.
- d. The plans of proposed water supply and sewage disposal systems shall be submitted in duplicate.
- e. In reviewing subdivision plans and plats for approval, the Department shall take notice of the proximity of existing community or municipal sewers and sewage disposal systems and the feasibility and reasonableness of connecting the subdivision thereto. Where the Department determines that such connections may practically, reasonably and properly be made, this shall be shown on the plans before any approval is granted.
- f. In cases where connection of a subdivision to a community water well system or a community sewage disposal system is permitted, the owner of the system shall hold a Certificate of Approval to Operate from the Arizona Department of Environmental Quality and a Certificate of Convenience and Necessity from the Arizona Corporation Commission or the system shall be otherwise controlled so as to insure the quality, continuity and duration of operation and maintenance required by the Department and Arizona Department of Environmental Quality.
- g. The distance of the subdivision to the nearest public water supply main and sewer main of a municipal or community system shall be shown on the plans.

### **REGULATION 3    Size of Lots**

In the case of lots upon which the installation of individual wells and/or individual sewage disposal systems will be necessary, lot sizes shall be sufficient to meet the following requirements:

- a. Where both the water supply and individual sewage disposal system must be developed on the same lot, the minimum lot size shall be one acre, excluding streets, alleys and other rights-of-way.
- b. Where water from a central system is provided, the lot size shall be sufficient to accommodate the individual sewage disposal system and provide for at least 100 per percent expansion of this system based on a four bedroom house built within the bounds of the property.
- c. Where lots are zoned for commercial uses the lot shall be sufficient to accommodate the sewage disposal system and provide for at least 100 percent expansion of the system within the bounds of the property allowing a minimum of six feet distance to the property lines or easement lines.

- d. All cases shall comply with Chapter II, Sewage and Wastes, Section 8, Individual Sewage Disposal Systems, Regulation 6, Individual Sewage Disposal System Location. With the application for approval of the subdivision, the subdivider shall submit written proof acceptable to the Department that the operators of the water system and/or public sewerage system will provide these sanitary facilities to each individual lot in the subdivision prior to human occupancy.

#### **REGULATION 4. Violations**

Any person, firm, company or corporation who offers for sale or rent any tract of land contrary to these regulations shall be prosecuted as provided by law.



# **MARICOPA COUNTY HEALTH CODE**

## **CHAPTER IV**

### **LAND SUBDIVISIONS**

#### **SECTION 2**

#### **WATER SUPPLY**

##### **REGULATION 1. Design Standards**

Proposed water supply and distribution systems shall comply with Chapter V, Water Supply, of the Maricopa County Health Code and the applicable rules and regulations of the Arizona Department of Environmental Quality and shall conform in general with the design standards contained in the applicable Engineering Bulletins of the Arizona Department of Environmental Quality.

##### **REGULATION 2. Details**

Where water from an approved public water supply is proposed for use in a subdivision, complete plans for all proposed water mains necessary to serve each and every lot together with the size of the existing water main and the location of the closest connection shall be shown on the plan. Construction specifications shall be submitted with the plans. Recorded reference to intended compliance with approved specifications on file with the Department may be accepted.

##### **REGULATION 3. Proposed System**

Where the owner of a subdivision, or other interested person, firm, company or corporation proposes to develop a source or sources of supply and to construct a distribution system to furnish water to the subdivision, either free or for charge, complete details of the proposed water system including plans and specifications shall be furnished. Department approval of the supply and proposed system must first be obtained before an approval to the State Real Estate Department for the sale of lots will be granted. The installation of such facilities shall be in accordance with the plans, and any revisions thereof, approved by the Department.



# MARICOPA COUNTY HEALTH CODE

## CHAPTER IV

### LAND SUBDIVISIONS

#### SECTION 3

#### SEWAGE DISPOSAL

##### **REGULATION 1. Design Standards**

Sewage disposal facilities shall comply with Chapter II, Sewage and Wastes, of the Maricopa County Health Code and applicable rules and regulations of the Arizona Department of Environmental Quality and shall conform in general with the design standards contained in the applicable engineering bulletins of the Arizona Department of Environmental Quality. Complete plans for all new or additions to existing treatment facilities and sewers shall be submitted for approval. Plans for new sewers shall show length and location, inside diameter, type of pipe, location of manholes and clean outs necessary to serve each and every lot and location and size of closest existing sewers and closest manhole. Construction specifications shall be submitted with the plans. Recorded reference to intended compliance with approved specifications on file with the Department may be accepted.

##### **REGULATION 2. Individual Sewage Disposal Systems**

- a. Individual sewage disposal systems are prohibited where
  - (1) Soil conditions and terrain features or other conditions are such that these systems cannot be expected to function satisfactorily; or
  - (2) Groundwater or soil conditions are such that these systems may cause pollution of groundwater; or
  - (3) Such installations may create an unsanitary condition or public health nuisance; or
  - (4) Connection to a public sewer system is reasonable and practical.
- b. Where individual sewage disposal systems are proposed, the following conditions shall be satisfied:

A geological feasibility report shall be made by an engineer, geologist or other qualified person which shall include results from percolation test and boring logs obtained at sites in the proposed subdivision designated by the Department. At least one percolation test and boring log per acre, or one percolation test and boring log per lot where lots are larger than one acre shall be made, except when other reliable data are submitted showing that individual disposal systems could reasonably be expected to function properly on each lot in the proposed subdivision. In no case will less than a minimum of one percolation test and soil boring hole log be required for

each 5 acres unless the lots are over 5 acres in size and then one for each lot is required in the vicinity of the proposed system. All pertinent test data shall be submitted to the Department for review. Alternative on-site systems shall not be approved for wastewater disposal as the basis for subdivision approval. Disposal of sewage to a public sewer system is not considered an alternative on-site system for the purposes of complying with this regulation. The Department may require additional tests when it deems necessary. The approval of a subdivision based upon such reports shall become void if the plat is further subdivided or lot lines are substantially relocated.



# **MARICOPA COUNTY HEALTH CODE**

## **CHAPTER IV**

### **LAND SUBDIVISIONS**

#### **SECTION 4**

#### **REFUSE DISPOSAL**

##### **REGULATION 1. General**

The storage, collection and disposal of refuse shall comply with the appropriate sections of Chapter II of the Maricopa County Health Code.

##### **REGULATION 2. Available Facilities**

When a subdivision is proposed for an area served by an approved community or private refuse collection service, the subdivider shall submit acceptable proof to the department that such collection service will be available to the subdivision.

##### **REGULATION 3. Notification**

- a. Where refuse collections service is not available, the subdivider shall notify the purchaser or tenant of each lot in writing that the storage and disposal of all refuse in a manner pursuant to law is the purchaser's or tenant's responsibility.
- b. Where a collection service or an existing approved disposal area is not conveniently available to the subdivision, a plan approval will not be granted unless an approved separate disposal area is provided by the subdivider or arrangements are made to utilize a new, conveniently located approved disposal area. Such arrangements shall include, but not be limited to, the written permission of the person responsible for the operation of the new site.

## **MARICOPA COUNTY HEALTH CODE**

### **CHAPTER IV**

### **LAND SUBDIVISIONS**

### **SECTION 5**

### **CONDOMINIUMS**

#### **REGULATION 1. General**

The regulation applies to condominium water and wastewater drainage systems not under public utility ownership and control, but use in common.

#### **REGULATION 2. Design Standards**

- a. The water piping and wastewater drainage systems serving condominiums shall be constructed in accordance with the current requirements of the Maricopa County Building Safety Department or local building inspection authority.
- b. Plans shall be submitted and shall include the size and location of meters, inside diameter, type, length and location of all proposed and existing common usage water lines and inside diameter, type, length, slope and location of all proposed and existing common usage wastewater drainage piping including manholes and/or cleanouts necessary to serve each and every unit. Plans and specifications shall be in sufficient detail to show compliance with subsection a. above.
- c. Documents submitted for approval shall include covenants adequate to insure that acceptable provisions have been made for the maintenance of water and wastewater drainage piping serving areas in common.
- d. Where existing housing is proposed to be converted to condominium status, proof shall be submitted that the water and wastewater drainage systems are approved by the local building inspection authority or certified to be adequate by a registered professional engineer who shall affix his signature and seal of registration in the State of Arizona to as-built plans submitted for approval.